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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,893	03/31/2004	Takashi Yamazaki	ASAM.0118

CONFIRMATION NO. 4985

REED SMITH LLP  
Suite 1400  
3110 Fairview Park Drive  
Falls Church, VA 22042

**FORMALITIES LETTER**



\*OC000000012925641\*

Date Mailed: 06/14/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

07/23/2004 MBELETE1 00000078 10812893

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130.00 DP

*A copy of this notice **MUST** be returned with the reply.*

*mar*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IF W\$.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of )  
)  
YAMAZAKI et al. )  
)  
Application Number: 10/812,893 )  
)  
Filed: March 31, 2004 )  
)  
For: DISK ARRAY APPARATUS AND DISK ARRAY )  
APPARATUS CONTROLLING METHOD )  
)  
ATTORNEY DOCKET NO. ASAM.0118 )

**Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231**

**LETTER**

Sir:

The below-identified communications are submitted in the above-captioned application or proceeding:

<input type="checkbox"/>	Priority Document ( )	
<input type="checkbox"/>	Request for Priority	<input type="checkbox"/> Assignment Document
<input checked="" type="checkbox"/>	Response to Missing Parts	<input type="checkbox"/> Petition under 37 C.F.R. 1.47(a)
	w/ signed Declaration	<input checked="" type="checkbox"/> Check for \$ 130.00

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. § 1.16 and 1.17 or credit any overpayment to Deposit Account Number 08-1480. A duplicate copy of this sheet is attached.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

**REED SMITH LLP**  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200  
July 22, 2004

  
\_\_\_\_\_  
Juan Carlos A. Marquez  
Registration Number 34,072



**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of )  
)  
YAMAZAKI et al. )  
)  
Application Number: 10/812,893 )  
)  
Filed: March 31, 2004 )  
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For: DISK ARRAY APPARATUS AND DISK ARRAY )  
APPARATUS CONTROLLING METHOD )  
)  
ATTORNEY DOCKET NO. ASAM.0118 )

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

This is in response to the Notice of Missing Parts dated June 14, 2004, of the Initial Patent Examination Division of the Patent and Trademark Office, the period for response to which is set to expire on August 14, 2004. Submitted herewith is an executed declaration for the above-captioned application.

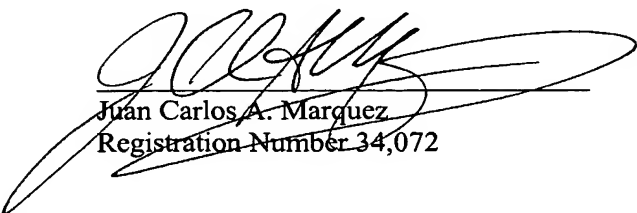
The fee of \$130.00 is enclosed. Please direct any inquiries in connection with this application to the undersigned.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

**REED SMITH LLP**  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200

July 22, 2004

  
Juan Carlos A. Marquez  
Registration Number 34,072



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of )  
)  
Takashi YAMAZAKI, Kazuo HAKAMATA )  
and Azuma KANO )  
)  
Application Number: 10/812,893 )  
)  
Filed: March 31, 2004 )  
)  
For: DISK ARRAY APPARATUS AND DISK ARRAY )  
APPARATUS CONTROLLING METHOD )  
)  
ATTORNEY DOCKET NO. ASAM.0118 )

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**SUBMISSION OF PATENT DECLARATION**

Sir:

Enclosed herewith for official submission is the executed Declaration And Power Of Attorney For Patent Application in connection with the above-referenced application. The accompanying Declaration is being submitted in response to the Notice to Missing Parts dated June 14, 2004.

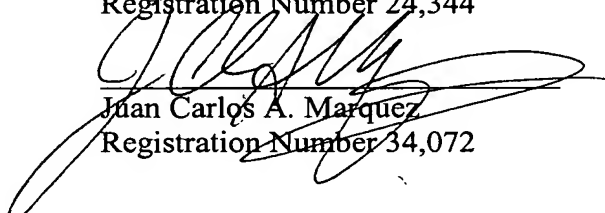
The executed Declaration was not earlier submitted due to the unavailability of the official Application Serial Number which was not known until the receipt of the Official Filing Receipt. The Declaration is now being submitted in accordance with the requirements of 37 C.F.R. §1.63 and MPEP §602 at 600-29. The original application as filed referenced the same Title of the Invention and the same inventors as the attached Declaration. As such, it is submitted that the attached Declaration does comply with all requirements and is being timely filed. If applicable, Applicant(s) hereby request that the date on which the original application was filed with the USPTO be accorded as the official U.S. filing date of the

above-referenced application.

Favorable consideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

  
Juan Carlos A. Marquez  
Registration Number 34,072

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3110 Fairview Park Drive  
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**July 22, 2004**